

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

JOE HAND PROMOTIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	3:16cv941-MHT
)	(WO)
GLORY DAYS ENTERPRISES,)	
INC., d/b/a Glory Days)	
Two, and MALCOLM PHANEUF,)	
)	
Defendants.)	

OPINION AND ORDER

Pursuant to Federal Rule of Civil Procedure 60(b)(1), plaintiff filed a motion to vacate this court's opinion and judgment dismissing this case based on the finding that plaintiff had abandoned it. This case is before the court on the recommendation of the United States Magistrate Judge that the plaintiff's motion to vacate be granted and the court's opinion and final judgment be vacated. There are no objections to the recommendation. Upon an independent and de novo review of the record, it is ORDERED as follows:

(1) The recommendation of the United States Magistrate Judge (doc. no. 18) is adopted.

(2) The motion to vacate (doc. no. 14) is granted.

(3) The opinion (doc. no. 12) and judgment (doc. no. 13) are vacated.

It is further ORDERED that this case is reopened and referred back to the magistrate judge for further proceedings.

DONE, this the 12th day of September, 2017.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE